

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SHANELL JAMES,

Plaintiff,

-against-

NEW YORK BOTANICAL GARDEN,

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 10/17/2022

21-cv-10746 (MKV)

ORDER OF DISMISSAL

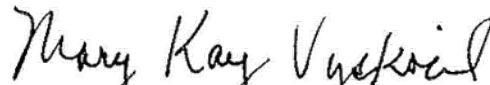
MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of a letter from the plaintiff stating that the parties have reached a settlement in principle [ECF No. 24]. Accordingly, IT IS HEREBY ORDERED that the above-captioned case is discontinued without costs to any party and without prejudice to restoring the case to this Court's calendar if the application to restore is made by November 21, 2022. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004). All other dates and deadlines, including the conference that was previously scheduled to take place on October 20, 2022, are adjourned *sine die*.

The Clerk of Court respectfully is requested to terminate the letter motion pending at docket entry 23.

**SO ORDERED.**

**Date: October 17, 2022**  
**New York, NY**

  
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**MARY KAY VYSKOCIL**  
**United States District Judge**